

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 0:09-CV-01890 (JRT-RLE)

Steven Gewecke; and
Tamara Gewecke,

Plaintiffs,

v.

US Bank, N.A. as trustee for CitiGroup

Mortgage Loan Trust, 2007-AMC1;

CitiGroup Mortgage Loan Trust 2007-

AMC1;

Argent Mortgage Company, LLC;

ACC Capital Holdings Corporation; and

Countrywide Home Loans, Inc.

Defendants.

**AFFIDAVIT OF JARED M.
GOERLITZ IN SUPPORT OF
OPPOSITION TO PLAINTIFFS'
MOTION FOR PARTIAL SUMMARY
JUDGMENT**

STATE OF MINNESOTA)

:ss.

COUNTY OF RAMSEY)

Jared M. Goerlitz, being first duly sworn, on oath states and deposes as follows:

1. I am an attorney with the law firm of Peterson, Fram & Bergman, P.A., counsel for US Bank, N.A., as Trustee for CitiGroup Mortgage Loan Trust, 2007, AMC1, CitiGroup Mortgage Loan Trust 2007-AMCI, and Countrywide Home Loans, Inc. (hereinafter “**Countrywide Defendants**”) in the above-entitled matter. This Affidavit is

submitted in support of Countrywide Defendants Opposition to Plaintiffs' Steven Gewecke and Tamara Gewecke's (hereinafter "**Plaintiffs**") Motion for Partial Summary Judgment.

2. On March 2, 2009, Plaintiffs filed Chapter 7 bankruptcy in the United States Bankruptcy Court, District of Minnesota, *In re Gewecke*, Court File No. 09-41180. Plaintiffs retained separate bankruptcy counsel from their counsel in this action.

3. Prior to the bankruptcy filing, Peterson, Fram and Bergman, P.A. was retained by Countrywide Defendants to commence foreclosure by advertisement pursuant to Minnesota law against Plaintiffs.

4. Countrywide Defendants retained Peterson, Fram and Bergman, P.A. to bring a Motion for Relief from Stay of the bankruptcy court's stay under 11 U.S.C. § 362(a). The motion and supporting documents were filed on April 2, 2009.

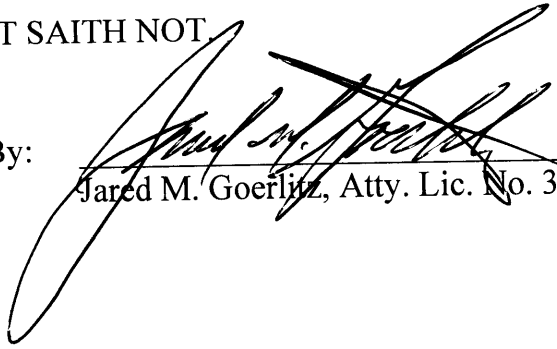
5. During the automatic stay and unbeknownst to Peterson, Fram and Bergman, P.A., Plaintiffs served their Qualified Written Request pursuant to 11 U.S.C. §2605(e) upon the Countrywide Defendants on April 11, 2009.

6. Attached hereto as Exhibit 1 is a true and correct copy excerpts from Plaintiffs' Petition (Doc. No. 1) in the United States Bankruptcy Court, District of Minnesota, *In re Gewecke*, Court File No. 09-41180.

FURTHER YOUR AFFIANT SAITH NOT

Dated: 12/14/09

By:


Jared M. Goerlitz, Atty. Lic. No. 386714

Subscribed and sworn to before me
this 14 day of December, 2009.


Notary Public

